IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(*Special Original Jurisdiction*)

TUESDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND SIX

P R E S E N T

THE HON'BLE SRI JUSTICE V.ESWARAIAH

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WRIT PETITION No.11579 of 1997

Between:

Syed Omer, s/o. late Syed Ahmed,
Aged about 48 years, 0cc. Govt. Employee,
R/o.H.No.18-12-418/D/4,
Hafiz Babanagar, Hyderabad. … Petitioner

Versus

The Municipal Corporation of Hyderabad,
Represented by its Commissioner,
Hyderabad & Anr. … Respondents

Counsel for the Petitioner: Sri Koka Raghava Rao

Counsel for the Respondents: Sri Ganta Rama Rao

O R D E R :

None appears for the petitioner as well as respondents.

The case of the petitioner is that he is the owner of the premises bearing house no.2-3-435/A/5, Amberpet, Hyderabad. The first respondent in the month of June 1997, started the activity of road widening programme and in that connection the petitioner also filed a civil suit seeking perpetual injunction against the Municipal Corporation, in which a notice was issued.

It is stated that without following due process of law either by way of payment of compensation or by private negotiations, the first respondent cannot take away possession of the petitioner.

It is stated that this court, while admitting the main writ petition, passed an order dated 11-6-1997 directing the respondents not to interfere with the private property of the petitioner bearing house no.2-3-435/A/5, situate at Amberpet, Hyderabad, without following due process of law, until further orders.

Having regard to the facts and circumstances, I consider it appropriate that the interim order dated 11-6-1997 is now made as final order in the main writ petition.

The writ petition is accordingly disposed of directing the first respondent not to dispossess or demolish the private property of the petitioner bearing house no.2-3-435/A/5, situate at Amberpet, Hyderabad, without following due process of law. No costs.

APRIL 04th, 2006. ----------

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I s L. V. ESWARAIAH, J.